

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

PUMA ENERGY CARIBE, LLC
Plaintiff

v.

COMMONWEALTH OF PR, et al.
Defendants

Civil No. 20-1591 (ADC / GLS)

TOTALENERGIES MARKETING
PUERTO RICO, CORP.

Plaintiff

Civil No. 20-1725 (ADC / GLS)

v.

COMMONWEALTH OF PR, et al.
Defendants

**OPPOSITION TO COPLAINTIFF TOTAL ENERGIES MARKETING PUERTO RICO,
CORP.’S MOTION FOR LEAVE TO FILE A REPLY**

TO THE HONORABLE COURT:

COMES NOW, the Puerto Rico Gasoline Retailers Association (henceforth, “PRGRA”), through the undersigned, and very respectfully, states and prays:

1. Today, at Docket No. 269, coplaintiff Total Energies Marketing Puerto Rico, Corp (“TEMPR”) filed a motion for leave to reply to Defendants’ and PRGRA’s opposition to Plaintiffs’ motions for summary judgment. PRGRA opposes such request and moves to strike such filing.

2. On March 29, 2024, the presiding judge set the deadline for filing motions for summary judgment to May 30, 2024 (Docket No. 200). The court added: “No replies will be authorized” (*Id.*). To date, 258 days after such order was notified, no party has requested reconsideration of the presiding judge’s ruling that no replies are authorized. Therefore, TEMP’s *Motion for Leave* should be denied and stricken from the record.

3. On the other hand, TEMPR's request for leave is untimely. The object of TEMPR's purported reply is Defendants' and PRGRA's opposition to Plaintiffs' Motions for Summary Judgment (see, #264-#268), filings made on November 18, 2024. Local R. 7(c) provides for filing replies, with prior leave, "within seven (7) days of service of any objection to a motion". The deadline, by rule, was November 25, 2024.

4. Even if the presiding judge had not forbidden the filing of replies, TEMPR filed its motion for leave 17 days after the deadline by rule. In light of such brazen disregard for court orders and the Local Rules, such motion for leave should be denied and stricken from the record.

WHEREFORE, PRGRA respectfully requests the Honorable Court to deny and strike TEMPR's *Motion for Leave* at #269.

RESPECTFULLY SUBMITTED.

WE HEREBY CERTIFY THAT today we filed this document through the CM / ECF system, which automatically notifies a faithful and exact copy to all attorneys of record.

In San Juan, Puerto Rico on December 12, 2024.

s/ Héctor Benítez Arraiza
Héctor Benítez Arraiza – USDCPR 221509
898 Muñoz Rivera, PS6 – 3rd Floor, SJ 00915
P.O. Box 6667, San Juan, PR 00914-6667
hba@bapclegal.com & hbarraiza@gmail.com
(787) 640-0192

s/ Miguel A. Rodríguez Rivera
Miguel A. Rodríguez Rivera – USDCPR 229413
219 Las Marías Ave., Urb. Hyde Park
San Juan, PR 00927
Email: licenciadorodriguez@me.com
Tel. (787) 765-1414